

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

26532

FILE: B-213244

DATE: October 17, 1983

MATTER OF: Luikart Photographic Enterprises

DIGEST:

1. An allegation that a bid price is too low to permit satisfactory performance is not a valid basis to challenge a contract award.
2. GAO does not review an affirmative determination of responsibility except under limited circumstances.
3. Whether an awardee actually performs a contract according to specifications is a matter of contract administration, which is the responsibility of the procuring agency and not GAO.

Luikart Photographic Enterprises protests the award of a contract to Map-One, Inc. for photographic services under solicitation No. 3-508975 issued by the National Aeronautics and Space Administration. Luikart contends that Map-One submitted a below-cost bid for the major item of work under the solicitation and thus will be unable to perform that portion of the contract according to the specifications.

We dismiss the protest.

A bidder's submission of a below-cost bid does not by itself provide a valid basis to challenge the award of a contract to that concern. See Richmond Gear, B-211589, May 9, 1983, 83-1 CPD 491. Whether a bidder will be able to perform a contract at its bid price is a question of the firm's responsibility, which must be determined before award. Our Office does not review protests concerning affirmative determinations of responsibility absent a showing of possible fraud or bad faith on the part of government procurement officials, or that definitive responsibility criteria in the solicitation have not been met. Sun Temporary Services, B-210577, February 17, 1983, 83-1 CPD 167. Since Luikart does not allege either exception here, we will not consider the firm's protest.

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Additionally, the question of whether Map-One actually performs the contract according to the specifications is a matter of contract administration, which is the responsibility of the procuring agency and not this Office. Control Technology Co., Inc., B-210860, March 14, 1983, 83-1 CPD 254.

The protest is dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel